

**FILED** CAP

AUG 20 2007

**BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS**

**KS State Board of Healing Arts**

In the Matter of )  
)  
**Connie R. White, P.A.**, )  
Kansas License No. 15-00384 )  
\_\_\_\_\_ )

Docket No. 08-HA 00020

**CONSENT ORDER**

**COMES NOW**, the Kansas State Board of Healing Arts ("Board") by and through Kelli J. Stevens, Litigation Counsel ("Petitioner"), and Connie R. White, P.A., ("Licensee") and move the Board for approval of a Consent Order affecting Licensee's license to practice in the State of Kansas. The parties stipulate and agree to the following:

1. Licensee's last known mailing address as provided to the Board is 1638 S. Grove, Wichita, Kansas 67211.

2. Licensee is or has been entitled to practice as a physician assistant in the State of Kansas, having been issued License No. 15-00384 on February 13, 1993. Licensee last renewed her license on approximately January 1, 2007.

3. The Board is the sole and exclusive administrative agency in the State of Kansas authorized to regulate the practice of the healing arts, specifically the practice and licensure of physician assistants. K.S.A. 65-28a01 *et seq.*; K.S.A. 65-28a05.

4. This Consent Order and the filing of such document are in accordance with applicable law and the Board has jurisdiction to enter into the Consent Order. Upon approval, these stipulations shall constitute the findings of the Board, and this Consent Order shall constitute the Board's Final Order.

5. Licensee agrees that the Physician Assistant Licensure Act is constitutional on its face and as applied in this case, and that in considering this matter, the Board is not beyond its jurisdiction as provided by law.

6. Licensee voluntarily and knowingly waives her right to a hearing. Licensee voluntarily and knowingly waives her right to present a defense by oral testimony and documentary evidence, to submit rebuttal evidence, and to conduct cross-examination of witnesses. Licensee voluntarily and knowingly agrees to waive all possible substantive and procedural motions and defenses that could be raised if an administrative hearing were held.

7. The terms and conditions of the Consent Order are entered into between the undersigned parties and are submitted for the purpose of allowing these terms and conditions to become an Order of the Board. This Consent Order shall not be binding on the Board until an authorized signature is affixed at the end of this document. Licensee specifically acknowledges that counsel for the Board is not authorized to sign this Consent Order on behalf of the Board.

8. At all relevant times hereto, Licensee was actively practicing as a Physician Assistant at Schneider Medical Clinic ("SMC") in Haysville, Kansas.

9. On or about May 9, 2006, Patient #1, a 5-year-old female, presented to SMC accompanied by her mother, with complaints of fever and not feeling well.

10. During such office visit, Patient #1's blood sugar level was tested and found to be 198.

11. Licensee wrote a prescription for Lortab Elixir based on the mother's statement that Patient #1 suffered from juvenile rheumatoid arthritis.

12. Licensee also wrote two (2) prescriptions for insulin based on the mother's statement that Patient #1 was an insulin-dependent diabetic and description of the medication Patient #1 needed. Specifically, Licensee prescribed NovoLog, 25u three times a day, and Humulin 70/30, 15u once a day.

13. Licensee admits that she had no experience with IDDM in children of Patient #1's age and that she prescribed the dosages of insulin in good faith based on specific information provided by the patient's mother.

14. During the office visit on May 9, 2006, Patient #1 was transported from SMC by ambulance to Via Christi Regional Medical Center ("VCRMC").

15. Upon further evaluation of Patient #1 at VCRMC, the diagnosis of rheumatoid arthritis and diabetes were unfounded.

16. On or about May 10, 2006, Licensee denied prescribing any insulin for Patient #1 when asked by a VCRMC physician.

17. Licensee did not originally document the above prescriptions in the office visit note for May 9, 2006, in Patient #1's SMC medical record. However, Licensee subsequently altered the office visit note for to reflect that insulin and Lortab Elixir were prescribed.

18. Licensee did not make any notations in the May 9, 2006 office visit note to indicate she was creating a late entry.

19. The amount of insulin and Lortab Elixir prescribed by Licensee were not documented by Licensee in the May 9, 2006 office visit note for Patient #1, nor was an adequate basis for prescribing Lortab Elixir indicated.

20. Licensee committed acts in violation of the Healing Arts Act, K.S.A. 65-28a05(a), and further defined by K.A.R. 100-28a-8(r), in that she has engaged in conduct likely to harm the public.

21. Licensee committed acts in violation of the Healing Arts Act, K.S.A. 65-28a05(a), and further defined by K.A.R. 100-28a-8(j), in that she prescribed a drug in an excessive and improper manner.

22. Licensee committed acts in violation of the Healing Arts Act, K.S.A. 65-28a05(a), and further defined by K.A.R. 100-28a-8(u), in that she failed to keep written medical records which accurately described the services rendered to the patient.

23. Pursuant to K.S.A. 65-28a05, the Board may revoke, suspend or otherwise limit Licensee's license for violation of the Healing Arts Act.

24. According to K.S.A. 77-508(b), the Board has authority to enter into this Consent Order without necessity of proceeding to a formal hearing.

25. In lieu of the conclusion of formal proceedings, Licensee, by signature affixed to this Consent Order, hereby voluntarily agrees to the following disciplinary measures against her license to practice as a physician assistant:

**PUBLIC CENSURE**

- a. Licensee is hereby PUBLICLY CENSURED for violating the Kansas Physician Assistant Licensure Act.

## EDUCATION

- b. Licensee shall attend and successfully complete a course on proper prescribing of controlled substances on or before November 15, 2007. The course must be pre-approved by the Board or its designee and shall be at the Licensee's own expense. Licensee must provide Board staff with proof of completion of the course.
  
- c. Licensee shall attend and successfully complete a course on appropriate medical record-keeping on or before November 15, 2007. The course must be pre-approved by the Board or its designee and shall be at the Licensee's own expense. Licensee must provide Board staff with proof of completion of the course.

26. Licensee's failure to comply with the provisions of the Consent Order may result in the Board taking further disciplinary action as the Board deems appropriate according to the Kansas Administrative Procedure Act.

27. Nothing in this Consent Order shall be construed to deny the Board jurisdiction to investigate alleged violations of the Kansas Physician Assistant Licensure Act, or to investigate complaints received under the Risk Management Law, K.S.A. 65-4921 *et seq.*, that are known or unknown and are not covered under this Consent Order, or to initiate formal proceedings based upon known or unknown allegations of violations of the Kansas Physician Assistant Licensure Act.

28. Licensee hereby releases the Board, its employees and agents, from any and all claims, including but not limited to, those damages, actions, liabilities and causes of action, both administrative and civil, including the Kansas Act for judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et seq.* This release shall forever discharge the Board of any and all claims or demands of every kind and nature that Licensee has claimed to have had at the time of this release or might have had, either known or unknown, suspected or unsuspected, and Licensee shall not commence to prosecute, cause or permit to be prosecuted, any action or proceeding of any description against the Board, its employees or agents, arising out of acts leading to the execution of this Stipulation or the content of this Stipulation.

29. Licensee further understands and agrees that upon signature by Licensee, this document shall be deemed a public record, and shall be reported to the National Practitioner Databank and any reporting entities authorized to receive disclosure of this Consent Order.

30. This Consent Order, when signed by both parties, constitutes the entire agreement between the parties and may only be modified or amended by a subsequent document executed in the same manner by the parties.

31. Licensee agrees that all information maintained by the Board pertaining to the nature and result of any complaint and/or investigation may be fully disclosed to and considered by the Board in conjunction with the presentation of any offer of settlement, even if Licensee is not present. Licensee further acknowledges that the Board may conduct further inquiry as it deems

necessary before the complete or partial acceptance or rejection of any offer of settlement.

32. Licensee by signature to this document, waives any objection to the participation of the Board members and General Counsel in the consideration of this offer of settlement, and agrees not to seek the disqualification or recusal of any Board member or General Counsel in any future proceeding on the basis that the Board member or General Counsel has received investigative information from any source which otherwise may not be admissible or admitted as evidence.

33. Licensee acknowledges that she has read this Consent Order and fully understands the contents.

34. All correspondence or communication between Licensee and the Board relating to this Consent Order shall be by certified mail addressed to the Kansas Board of Healing Arts, Attn: **Compliance Coordinator**, 235 S. Topeka Blvd., Topeka, Kansas 66603-3068.

35. Licensee shall obey all federal, state, and local laws and rules governing practice as a Physician Assistant in the State of Kansas that may be in place at the time of execution of the Consent Order or may become effective subsequent to the execution of this document.

36. Upon execution of this Consent Order by affixing a Board authorized signature below, the provisions of this Consent Order shall become an Order under K.S.A. 77-508. This Consent Order shall constitute the Board's

Order when filed with the Office of the Executive Director for the Board and no further order is required.

37. The Board may consider all aspects of this Consent Order in any future matter regarding Licensee.

**IT IS THEREFORE ORDERED** that the Consent Order and agreement of the parties contained herein is adopted by the Board, and is the Order of the Board.

**IT IS FURTHER ORDERED** that:

**PUBLIC CENSURE**

- a. Licensee is hereby PUBLICLY CENSURED for violating the Kansas Physician Assistant Licensure Act.

**EDUCATION**

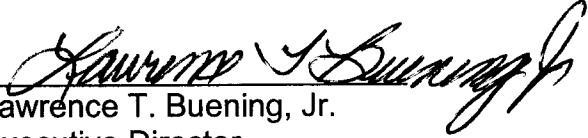
- b. Licensee shall attend and successfully complete a course on proper prescribing of controlled substances on or before November 15, 2007. The course must be approved by the Board or its designee and shall be at the Licensee's own expense. Licensee must provide Board staff with proof of completion of the course.
- c. Licensee shall attend and successfully complete a course on appropriate medical record keeping on or before November 15, 2007. The course must be approved by the Board or its designee and shall be at the Licensee's own expense.



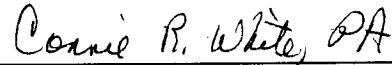
Licensee must provide Board staff with proof of completion  
of the course.

**IT IS SO ORDERED.**

**FOR THE KANSAS STATE  
BOARD OF HEALING ARTS:**


  
Lawrence T. Buening, Jr.  
Executive Director

August 20, 2007  
Date

  
Connie R. White, P.A.  
Licensee

7-31-07  
Date

**PREPARED AND APPROVED BY:**

  
Kelli J. Stevens #16032  
Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3065  
(785) 296-7413

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing CONSENT ORDER was served this 20<sup>th</sup> day of August, 2007, by depositing the same in the United States mail, postage prepaid, and addressed to the following:

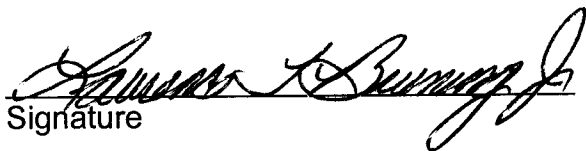
Connie R. White  
1638 S. Grove  
Wichita, KS 67211

and a copy was hand-delivered to:

Kelli J. Stevens, Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603

and the original was hand-delivered for filing to:

Lawrence T. Buening, Jr.  
Executive Director  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

  
Signature